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16 Attorneys for Petitioner

17 UNITED STATES DISTRICT COURT

18 CENTRAL DISTRICT OF CALIFORNIA

19 WILLIAM M. PATE, Acting Regional
20 Director of Region 21 of the National
21 Labor Relations Board, for and on
22 behalf of the NATIONAL LABOR
23 RELATIONS BOARD,

24 Petitioner,

25 v.

26 BODEGA LATINA CORPORATION,
27 D/B/A EL SUPER,

28 Respondent.

Civil No. 2:15-cv-04228-GHK-AGR
DECLARATION OF AMI
SILVERMAN IN SUPPORT OF EX
PARTE APPLICATION FOR AN
ORDER SHORTENING TIME FOR
THE COURT TO HEAR THE
MOTION SEEKING LEAVE TO
AMEND THE CORRECTED
PETITION FOR TEMPORARY
INJUNCTION UNDER SECTION
10(J) OF THE NATIONAL LABOR
RELATIONS ACT, AS AMENDED
[(29 U.S.C. SEC. 160(J)] WITH
SUPPORTING EXHIBITS

Date: no hearing required

Judge: Honorable George H. King

Courtroom: 650 Los Angeles, Roybal

1 I, Ami Silverman, declare as follows:

2 1. I am an attorney with Region 21 of the National Labor Relations Board
3 and an attorney of record for Petitioner in the above-entitled matter. I have
4 personal knowledge of the facts recited in this declaration. If called upon to do so,
5 I would truthfully testify to the following.

6 2. At approximately 11:00 a.m. on July 6, 2015, I called the offices of
7 Proskauer Rose LLP in Los Angeles, California. I asked to speak with attorney
8 Mark Theodore, and was informed he was unavailable. I was then transferred and
9 spoke with attorney Irina Constantin.

10 3. Ms. Constantin told me that she was readily familiar with the case in the
11 instant proceedings. Ms. Constantin informed me that Mr. Theodore was on a
12 plane to Los Angeles, and would be landing around 1 p.m. today. I informed Ms.
13 Constantin that the Petitioner intended to file today with the Court a Motion
14 Seeking Leave to Amend the Corrected Petition for Temporary Injunction seeking
15 a deferred offer of reinstatement until ten weeks from the Court's Order to allow
16 Petitioner to attempt to resolve issues regarding reinstatement. I also informed Ms.
17 Constantin that in addition, Petitioner would be filing today an Ex Parte
18 Application for an Order Shortening Time for the Court to Hear the Motion
19 Seeking Leave to Amend the Corrected Petition in order to keep the July 20, 2015
20 hearing date. Ms. Constantin asked me if I was seeking Respondent's position on
21 those filings. I replied yes. Ms. Constantin responded that she could not provide a
22 position on either filing, and wanted to speak with Mr. Theodore. She asked that
23 we wait to file until she spoke with Mr. Theodore. I told her we could give her
24 until 3 p.m. today. Ms. Constantin said she would get back to me with
25 Respondent's position no later than 3:00 p. m. today.

26 4. At 1:24 p.m. Ms. Constantin left me a voice mail message to call her. I
27 called her back at 2:09 p.m., and spoke with Ms. Constantin. She said she had
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spoken with Mr. Theodore, and that Respondent objects to both our Motion to
1 Amend and our Ex Parte Application.
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3 I declare under penalty of perjury that the foregoing is true and correct.
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6 Executed at Los Angeles, California, this 6th day of July, 2015.
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12 AMI SILVERMAN
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